

RECEIVED  
CENTRAL FAX CENTER

JUN 18 2007

Atty. Docket No. MP0227  
Application No: 10/619,278Remarks

Applicants and their representatives wish to thank Examiner Tran for allowing Claims 6, 9-20, 22-26, 28-36, 38-42 and 44-59, for indicating the allowability of Claims 2-5, 21, 27 and 80-83, and for the helpful and courteous discussion held with the undersigned on May 24, 2007. Applicants and their representatives thank Examiner Tran for the indication that the finality of the rejections may be withdrawn, in part in view of the fact that in the Amendment filed January 25, 2007, Claim 1 was combined with the limitations of previously allowable Claim 10 (see the Office Action dated October 31, 2006), allowable Claim 11 was rewritten in independent form, Claim 35 was combined with the limitations of allowable Claim 43, Claim 60 was combined with the limitations of allowable Claim 64, and Claim 73 was rewritten in independent form and further combined with the limitations of allowable Claim 77. (Claims previously indicated as allowable cannot be finally rejected merely because additional claims dependent therefrom were added. See MPEP § 706.07(a).)

As suggested by the Examiner at the May 24 interview, Claim 1 has been amended to incorporate subject matter indicated as allowable (i.e., the limitations of allowable Claim 80). Claims 60 and 73 have also been amended to include limitations similar to those of allowable Claim 80 (see also allowed Claim 11). Claims 72, 77 and 80 have been canceled, and new Claims 84-86 have been added. Support for new Claim 84 can be found in Claims 16-17 as originally filed. Support for new Claim 85 can be found in Claim 18 as originally filed. Support for new Claim 86 can be found in Claims 15 and 20 as originally filed. The remaining claims have been amended to address informalities or correct internal inconsistencies. Therefore, no new matter is introduced. Claims 1-36, 38-42, 44-63, 65-71, 73-76, 78, 79, and 81-86 are in condition for allowance.

The Objections to Claims 21, 27, and 79

The objections to Claims 21 and 27 have been obviated by appropriate amendment, as suggested by the Examiner.

RECEIVED  
CENTRAL FAX CENTERAtty. Docket No. MP0227  
Application No: 10/619,278

JUN 18 2007

The objection to Claim 79 under 37 C.F.R. § 1.75 is respectfully traversed. Claim 79 depends from independent Claim 1, which relates to a clock recovery adjustment circuit that comprises logic configured to (i) sample said data stream at predetermined times, (ii) receive a plurality of predetermined phases of said clock signal, and (iii) provide said clock frequency information and said clock phase information from sampled data and said predetermined phases of said clock signal. However, Claim 2 depends from independent Claim 11, which does not recite such logic. Thus, claim 79 and claim 2 relates to substantially different limitations of their respective base claim(s). Therefore, withdrawal of this objection is respectfully requested.

The Rejection of Claims 1, 60, 61, 65, and 68-72 under 35 U.S.C. § 102(b)

In the interest of expediting prosecution of the present application and without conceding the issue of patentability, the rejection of Claims 1, 60, 61, 65, and 68-72 under 35 U.S.C. § 102(b) as being anticipated by Wolaver (U.S. 4,590,602) has been obviated by appropriate amendment.

The Rejection of Claims 7, 8, 62, 63, 66, and 67 under 35 U.S.C. § 103(a)

In the interest of expediting prosecution of the present application and without conceding the issue of patentability, the rejection of Claims 7, 8, 62, 63, 66, and 67 under 35 U.S.C. § 103(a) as being unpatentable over Wolaver (U.S. 4,590,602) has been obviated by appropriate amendment.

Conclusions

Applicants and their representatives again wish to thank Examiner Tran for allowing Claims 6, 9-20, 22-26, 28-36, 38-42, and 44-59, and indicating the allowability of Claims 2-5, 21, 27, and 80-83 over the prior art.

RECEIVED  
CENTRAL FAX CENTER

JUN 18 2007

Atty. Docket No. MP0227  
Application No: 10/619,278

In view of the above amendments and remarks, all bases for rejection are overcome, and the application is in condition for allowance. Early notice to that effect is earnestly requested.

Respectfully submitted,



Andrew D. Fortney, Ph.D.  
Reg. No. 34,600

401 West Fallbrook Avenue, Suite 204  
Fresno, California 93711  
(559) 432 - 6847

ADF:jfs